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JUDGE DECLARES GOVERNOR SMALL CAN BE ARRESTED

APPEAR AT CONVENIENCE

Judge Smith Holds That There is No Such Thing as Divine Right of Kings and the King Has No Counterpart in Illinois. Court Cannot Withhold Warrants.

Springfield, Ill., July 26.—Judge Smith in his opinion on the question of the arrest of Governor Small on a charge of embezzlement today held that warrants should be served on the governor but he should be permitted to make his appearance at his convenience in any reasonable length of time.

The Judge's findings are that there is no such thing in Illinois as the divine right of kings and the king has no counterpart in Illinois.

That it is beyond the scope of the governor's power to call state troops to shield him from arrest.

That Governor Small despite his position as chief executive of the State is subject to arrest and prosecution.

That the statutes of limitation would expire through any prolonged delay in serving warrants on the governor.

That it is not the duty of the court to withhold warrants.

That Governor Small should be permitted to voluntarily present himself before the court.

Notification of Governor Small by telephone was the method of procedure to be selected by Sheriff Nester. "I may go over for an interview with the Governor later," Sheriff Nester said adding, "No attempt will be made to embarrass Governor Small."

WARNING AGAINST FAKE TAX "EXPERTS"

Washington, July 25.—Warning against fake income tax "experts" was issued by Internal Revenue Commissioner Blair. With revised tax legislation in immediate prospect these "experts," Mr. Blair said, if they follow past practices, are preparing to offer advice regarding the preparation of the new income tax returns.

"The evil resulting from the operation of this class of practitioners must and will be stamped out," the Commissioner said. "Persons who knowingly offer advice or suggestions by which the income tax law may be evaded, and which eventually lead the taxpayer into difficulties with the Government, will be dealt with in accordance with the extreme penalties provided by law."

Within the last thirty days, he continued, between forty and fifty attorneys and agents for taxpayers have been disbarred from practice before the Treasury.

ENGINEER KNOCKED FROM HIS ENGINE

Fireman Looked up to Speak to
Engineer and Found That He
Had Disappeared.

Portsmouth, Va., July 26.—Glancing up from the fiery mouth of his engine on the Seaboard Air Line No. 16 about 3 miles east of Suffolk to address a remark to his engineer the fireman Henry Mason discovered that the locomotive was running without a pilot. A hasty search convinced him the engineer, R. H. Buckner of this city, was not on the locomotive or tender and the train carrying passengers literally running away.

The train was stopped and the crew went back along the track about a quarter of a mile where they found the body of Buckner.

His body slightly mutilated was lying alongside the track. Buckner the theory is was knocked from the tender by a low bridge.

NORTHCLIFFE SARCASTIC AS TO PROHIBITION.

New York, July 26.—Viscount Northcliffe who is enjoying the lure of the metropolis for a short while before resuming his trip to the far east has joined a list of foreign personages who exhibit a sense of humor appertaining to the 18th. amendment.

Asked what he thought of prohibition, he said: "Take me to a place where there is prohibition and I'll tell you what I think of it."

SUPREME COUNCIL MEETS IN AUGUST

Session Will Be Brief, Dealing
Only With the Silesian
Question.

London, July 26.—The allied supreme Council will meet in Paris August 4th. It is understood the session will be brief, dealing only with the Silesian question. Marcus Curzon, secretary of state for foreign affairs and A. J. Balfour, Lord President of the Council will represent Great Britain as it is improbable David Lloyd George will be able to leave England at that time.

The British experts who will examine the Silesian question before the council meeting already have left for Paris. It is understood Ambassador Harvey will attend the meeting in an advisory and unofficial capacity.

CREEKS ALMOST ANNIHILATE THE TURKS.

Athens, July 26.—An announcement by the Greek official agency made yesterday said the Turks lost in killed and wounded and missing amount to 75 percent of their total number.

The statement claim the Greeks have driven such a wedge into the Turkish Nationalists that the Kemal forces at Angora, the capitol on the northern branch of the Bagdad railroad have been cut at Konieh on the main line of the road 150 miles to the south.

FIRE DAMAGED MAURETANIA

Southampton, July 26.—After a battle lasting more than 12 hours the fire on board the Cunarder Mauretania which broke out as she was lying at her pier yesterday was finally conquered, but not before the interior of the mammoth liner presented a sorry spectacle.

The damage was not so extensive as first feared, but it is serious enough and considerable time will be required to put the liner in condition for service. Meanwhile passengers booked for passage on the ship will be transferred to other ships. No estimate of the financial loss has been made.

GERMANY PROMOTING HER COMMERCE

Washington, July 26.—German steamship interests are preparing to enter the Pacific coast ports of Mexico and Central and South America, in which they were important factors before the war, it is announced here.

JUDGE CONNORS HEARS BANKRUPTCY ARGUMENTS.

Raleigh, July 26.—Judge Henry G. Connor yesterday heard arguments and evidence in involuntary bankruptcy proceedings against H. E. Brewer & Co., of Rocky Mount. The liabilities of the company were brought out as about \$400,000, but a controversy developed as to the assets, which were placed at from \$350,000 to \$400,000.

Battle and Winslow, of Rocky Mt., appeared for the company, and Joseph B. Ramsey, also of Rocky Mount, for the respondent. Hugh W. Davis of Norfolk, appeared for the several petitioners.

JAPAN WOULD NOT BIND HERSELF TO DISCUSS ANYTHING

PROGRAM SETTLED LATER

America Has Not Specified What Subjects Will Be Discussed Except in a General Way — Disarmament and Peace in the Far East; Japan Accepts Invitation.

(By David Lawrence).
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Washington, July 25.—Japan is ready to accept America's invitation to participate in the disarmament conference.

In accepting the invitation, Japan does not bind herself to discuss anything which she wishes to exclude from the scope of the conference such as questions relating to Shantung or Yap or other matters which Japan may consider to have been closed by the time the conference begins.

America has not specified what subject will be discussed except in a general way—disarmament and peace in the Far East.

These statements from officials of our government who are in touch with the negotiations describe the status of the interchanges between Japan and the United States thus far.

Our government originally asked all the powers informally if an invitation to a disarmament conference would be acceptable. That is diplomacy's way of avoiding a direct turn down. The informal inquiries resulted in agreeable statements from all the powers and formal invitations were promptly sent. Japan is just now replying informally that an invitation would be acceptable. After that a formal invitation must be sent and a formal reply received. Japan naturally wanted to know what would be discussed at the conference and America politely said that was something all the powers including Japan would decide when once the invitations were accepted all around.

So when Japan accepts America's invitation the real discussion begins as to what shall be included or excluded. The "agenda" which is the diplomatic term for program will have to be settled before the conference begins. It will be the aim of the United States to make this agenda as broad as possible so that every question which has a practical relationship to the future peace of the Far East may be discussed. It will be to Japan's interest to avoid discussion of her rights in China as granted her by the Versailles pact and previous treaties with China.

Dispatches from London and other capitals predicting that Japan would raise the question of immigration and demand a declaration in favor of racial equality as she did at the Paris conference are regarded here as inspired by newspapers rather than the Japanese government for officials say that Japanese government hasn't raised any such issue.

Inasmuch as the agenda will be arranged by cable ahead of time and within the realm of secret interchanges the prospects are that by the time the program is announced the racial discrimination question will have been disposed of so it will not be an obstacle to the conference. It will be far easier for Japanese public opinion to understand the complete omission of the racial equality issue than to have the great powers discuss such a moot point not be forced to the expression of varying opinions. Japanese pride would rather not have the powers publicly discuss such a question. The Japanese consider themselves racially the equal of any other race and to petition for a declaration on the subject might seem to be expressing a doubt whether such a right of equality is actually possessed. Japan gains more in the long run by assuming that she is the equal racially of any other nation and (Continued on page 8 this Section.)

RUSSIAN SOVIETS HAVE MILLIONS IN AMERICAN BANKS

MUST NOT BE MOLESTED

The Money Was Deposited by Bakhmetiff Who Was Appointed Russian Ambassador to the United States Before the Soviet Government Was in Supremacy in Russia.

New York, July 26.—The Russian Soviet government has served notice on four New York and two Washington banks that it is the owner of more than 179 millions deposited by Boris Bakhmetiff, who was appointed Russian Ambassador to United States before the Soviet government gained supremacy in Russia.

In making this announcement, Charles Ereicht, attorney for the Soviet Government, said the notice was sent to banks to warn them, that they would be held liable if they paid funds to anyone except an accredited representative of the government.

TRUE BILLS FOUND.

Clinton, Tenn., July 26.—Verdicts of murder in the first degree in the case of Otto Stephens, Chas. Petree, John McClure and Tom Christmas who are charged with the murder of George Lewis and the attempted murder of Arthur Crumley on May last were returned today.

COMMERCIAL SECRETARIES TO MEET IN ROCKY MOUNT FRIDAY

Rocky Mount, July 25.—Final preparations are being made this week by local chamber of commerce members and officials for the semi-annual meeting of the North Carolina Commercial Secretaries' association which will be held here Friday and which it is expected will bring upwards of 75 visitors from all sections of the state to the city.

FIRE IN PETERSBURG.

Petersburg, Va., July 26.—Fire gutted cotton and peanut warehouse of Martin and Sons on east Bank St., with a loss estimated at over \$100,000 partially covered by insurance.

MARKETS

COTTON.

New York, July 26.—Cotton futures opened steady. Oct. 12.21, Dec. 12.60, Jan. 12.52, March 12.93, May 13.00.

New York, July 26.—Although the opening of the cotton market was somewhat better than expected the weight of Southern selling orders soon produced a weaker undertone. Oct. was soon back to 12.18, or 5 points under the previous close. The opening was steady at a decline of 2 to 10 points, but recovered only to react under southern and warehouse offerings.

The cotton market at noon closed as follows: Jan. 12.68, Mar. 13.00, Oct. 12.27, Dec. 12.68. The market closed at 3 p. m. as follows: Jan. 12.37, March 12.70, May 12.76, Oct. 12.60, Dec. 12.38. Spot cotton Wilson market 10 1-4.

STOCKS.

New York, July 26.—Ralls, equipments and steels represented the firmer issues at the listless opening of the stock market today. Union Pacific, United States Steel, New York Central, Crucible Steel, Baldwin Locomotive and U. S. Rubber, reflected further covering of short contracts. Domestic and foreign oils were irregular at the slight changes. Tobacco and the food specialties showing declining tendencies.

CLOUDY TONIGHT.

For North Carolina: Partly cloudy tonight and Wednesday with gentle to moderate east and northeast winds.

MYSTERIOUS DISAPPEAR- ANCE OF COLLEGE PROFESSOR

Banff, Alberta, July 26.—A searching party under the direction of Prof. Fey today is scouring the country around Mount Eanon in an effort to locate Dr. W. E. Stone, president of Perdue University of Lafayette, Ind., and Mrs. Stone who have been missing since July 17.

On that date they set out from a camp at Mount Assiniboine to inspect the surrounding country. They had food enough to last four days. The only trace of them was the remains of a fire and toilet articles belonging to Dr. and Mrs. Stone, which were found at the base of Mount Eanon.

LACK OF FINANCES DELAYS HOSPITALS

The Unsuitable Location of
Many Hospitals Made Many
of Them Useless.

Washington, July 26.—Delay in extending hospitalization for veterans was attributed by Surgeon General Hugh S. Cumming of the public health department to lack of adequate appropriations during 1920. He told a Senate investigating committee that owing to unsuitable locations many hospitals placed at his disposal could not be used.

"No defense can be made of senators and representatives putting up such law for political purposes requiring selection as sites for hospitals of places totally unfit," exclaimed Senator Walsh, Democrat of Massachusetts.

While the public health service was searching the country for available hospital beds the war department was "scrapping" buildings which could have been used it was declared.

PRISONERS MAY STUDY PROPOSAL

Belfast, July 26.—The Belfast Telegraph's Dublin correspondent says today he understands virtually all the members of the Dail Eireann or Irish Republican parliament who are in jail will be released at an early date. This action is taken to give them an opportunity to meet and discuss the British government proposal for peace.

TOBACCO PRICES MAKE GAINS IN LUMBERTON

Lumberton, July 26.—While sales were light on the Lumberton tobacco market today, prices were from 30 to 50 per cent higher than last week. Very little good tobacco has yet been offered and there seems to be a demand for the better grades. Second curings today sold for above 20 cents the pound. As the grades improve prices are expected to range upward.

With the advance in price the depression brought about by the low prices on the opening is clearing and a spirit of optimism can be seen among farmers and business men.

LABORER'S BRAVE ACT TO EXTINGUISH FIRE.

Mexico City, July 25.—Guarded by an asbestos shield, a laborer in the Amatlan oil fields yesterday approached to within a few yards of blazing well, known as Number Five, and after spending fifteen minutes in the terrific heat, with flaming oil falling all around him, succeeded by frantiv efforts in nearly closing a valve which controls the oil supply.

The intense heat is said to have damaged the piping system to such an extent that it was impossible to close the valve completely, but when the pipes became cooler, it is believed the supply can be cut off entirely by a similar procedure, and that the fire, which has been burning for more than a week, with a loss estimated at several million dollars, will be extinguished.

SOUTHERN STATES DENY FAMINE AND PELLEGRA REPORT

NO EPIDEMIC IN SIGHT

President Harding's Statement Urging the Health Department to Investigate Conditions Brings Forth Declarations From Health Departments in South.

Raleigh, July 26.—Governor Morrison today received a telegram from the St. Louis Post Dispatch regarding the reported pellagra epidemic and "semi-famine" in the South.

After consultation with Dr. W. S. Rankin who furnished the executive with the exact status of the situation in North Carolina, the following message was sent by the governor.

"No famine in North Carolina, nor unusual prevalence of pellagra. Thirteen pellagra deaths less for this year than last year."

New Orleans, July 26.—"There is no pellagra epidemic in Louisiana," says Dr. Oscar Dowling, president of the state board of health. "On the contrary there are fewer cases than usual at this time of year."

"For the week ending July 23, only five new cases were reported as compared with 18 cases the previous week."

Little Rock, Ark., July 26.—There is no "semi famine" in Arkansas and pellagra is no more prevalent than in previous years according to C. W. Garrison, state health officer.

No such conditions as were described in President Harding's letter exist in this state he said.

Jackson, Miss., July 26.—Although the number of pellagra cases in Mississippi increased to 2,239 compared with 1,022 cases for the same month for 1920 there is no grave danger of a pellagra epidemic and no "semi-famine" conditions prevail stated Dr. W. S. Leathers, executive officer of the state board of health, discussing the letter of President Harding relative to the situation in the south.

CONGRESS IS ASKED TO HELP RAILROADS

President Would Have the War
Finance Corporation to Purchase Securities.

Washington, July 26.—President Harding in a special message to Congress today asked it to extend authority of the war finance corporation to purchase security probably up to 500 million now in the hands of the railway administration so the proceeds may be used for settlement of the railway debt.

This the President told Congress would "open the way to an early adjustment and relief of railway problems."

Railway claims based on the "inefficiency of labor" during the war the President said were to be waived for the present to hasten settlement with the surrender of any rights in courts. Although the railways owed government large sums the government also owed the railway large sums on various accounts.

"No added expense" said the President in explanation "no added investment is required on the part of the government. There is no added liability, no added tax burden."

"It is merely granting of authority to enable a most useful and efficient government agency to use available funds to purchase security for which Congress has authorized the issue and turn into the channels of finance ready to float them."

"The agreement with the government provided that the roads should be returned to their owners and the (Continued on Page 4)